

b) at least one fatty chain, optionally functionalized, comprising from 12 to 120 carbon atoms, chosen from pendant fatty chains and terminal fatty chains which are bonded to said polymeric skeleton;

wherein said at least one fatty chain is present in a quantity ranging from 40% to 98% of the total number of all said repeating units comprising at least one non-pendant hetero atom and all said at least one fatty chains;

wherein said structured composition is in the form of a wax-free solid;

wherein said at least one dyestuff is chosen from pigments and nacles;

wherein said at least one dyestuff, said at least one continuous liquid fatty phase, and said at least one structuring polymer form a physiologically acceptable medium; and

wherein said composition is anhydrous. --

REMARKS

I. Status of the Claims

Claims 1-45, 47-67, 69-113, and 118-166 are currently pending in this application. Claims 90-127 have been withdrawn from consideration by the Office. By this Amendment, claims 46, 68, and 114-117 have been canceled without prejudice or disclaimer to the subject matter therein. Also by this Amendment, claim 32 has been amended to provide the Office with a chemical structure that is more clear and easier to read, and claims 15, 29, 50, 64, 65, 83, 94, 100, 109, 118, 124, and 135 have been amended to correct minor typographical errors. Support for these amendments can be found throughout the application as filed.

Claims 1, 83, 85, 100, 109, 110, 135, 144, 150, 156, 157, and 161 have been amended to further define that which Applicants consider to be their invention. Support

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for these amendments can also be found in the application as filed. In particular, support for the amendments to claims 1, 85, 135, 144, 150, 156, 157, and 161 can be found, for example, at page 22, lines 18-19 and page 23, lines 4-7 of the specification. Support for the amendment to claim 110 can be found, for example, at page 1, lines 1-6 and in Examples 1 and 3 of the specification. Accordingly, no new matter has been added by any of these amendments.

In addition, new claims 162-166 have been added by this amendment. These new claims in no way narrow the scope of any of the existing claims. Support for these new claims can also be found in the application as filed. In particular, support for claim 162 can be found, for example, in original claim 46. Support for claim 163 can be found, for example, in original claims 68. Support for claim 164 can be found, for example, in original claims 46 and 144. Support for claim 165 can be found, for example, at page 9, line 18 through page 10, line 1 of the specification. Support for claim 166 can be found, for example, at page 5, lines 3-5 of the specification.

Accordingly, no new matter has been added by any of the new claims.

II. Information Disclosure Statement Under 37 C.F.R. § 1.97(c)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicants bring to the attention of the Office the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a final Office Action, Quayle Action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00 as specified by § 1.17(p).

Copies of the listed documents, including any copending patent applications and preliminary amendments filed therein, are attached. Applicants respectfully request that the Office consider the listed documents and indicate that they were considered by making appropriate notations on the attached form. For all of the non-English language documents, an English language counterpart or Derwent abstract has been filed herewith.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Office applies any of the listed documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

III. Rejection under 35 U.S.C. § 102(b)

Claims 1-89 and 128-161 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,783,657 to Pavlin *et al.* (*Pavlin*) for the reasons set forth on page 3 of the present Office Action. Although claims 46 and 68 have been canceled, Applicants respectfully traverse this rejection as it applies to the pending claims for at least the following reasons.

A rejection under § 102 is proper only when the claimed subject matter is identically described or disclosed in the prior art. *In re Arkley*, 455 F.2d 586, 587 (C.C.P.A. 1972); see also M.P.E.P. § 706.02 ("For anticipation under 35 U.S.C. § 102, the reference must teach every aspect of the claimed invention either explicitly or impliedly."). Moreover, in order to anticipate the claimed invention, a reference must clearly and unequivocally disclose the claimed composition to one of ordinary skill in the art "without any need for picking, choosing and combining various disclosures." *In re Arkley*, 455 F.2d at 587. Importantly, missing elements may not be supplied by the knowledge of one skilled in the art or the disclosure of another reference. See *Structural Rubber Prods. Co. v. Park Rubber Co.*, 749 F.2d 707, 716, 223 U.S.P.Q. 1264, 1271 (Fed. Cir. 1984).

Pavlin does not teach every aspect of the presently claimed invention, as required by *In re Arkley*, *supra*. For example, present claim 1 is drawn to "[a] structured composition comprising: (a) at least one dyestuff; and (b) at least one continuous liquid fatty phase comprising: (i) at least one structuring polymer which has a weight-average molecular mass ranging from 1000 to 30,000 and comprises: a) a polymeric skeleton comprising repeating units comprising at least one non-pendant hetero atom; and b) at least one fatty chain, optionally functionalized, comprising from 12 to 120 carbon atoms, chosen from pendant fatty chains and terminal fatty chains which are bonded to said polymeric skeleton; wherein said at least one fatty chain is present in a quantity ranging from 40% to 98% of the total number of all said repeating units comprising at least one non-pendant hetero atom and all said at least one fatty chains; wherein said structured composition is in the form of a wax-free solid; wherein said at least one dyestuff is

chosen from pigments and nacles; and wherein said at least one dyestuff, said at least one continuous liquid fatty phase and said at least one structuring polymer form a physiologically acceptable medium." See, e.g., claim 1 as amended.

Pavlin discloses a polymer taught to be useful for a wide variety of purposes. Neither the examples nor the claims of *Pavlin* require or recite any colorant, let alone a dyestuff chosen from pigments and nacles. See *Pavlin*, col. 18, line 1 - col. 24, line 22; col. 25, line 49 - col. 26, line 62. In fact, the only disclosure in *Pavlin* with respect to dyestuffs is a generic teaching that "colorants" may be an optional additional component of some embodiments. See *Pavlin*, col. 14, lines 30-32. Notably, there is no teaching whatsoever in *Pavlin* of specifically pigments or nacles.

Thus, in order for one of ordinary skill in the art to even attempt to arrive at the presently claimed invention, the skilled artisan would need to first "pick and choose" colorants from among numerous additional and optional components disclosed in the reference, and then, with no guidance from *Pavlin* to do so, specifically choose pigments and/or nacles as the colorant to add to the exemplified compositions. As discussed above, under the holding in *In re Arkley, supra*, such picking and choosing is improper. Because picking and choosing among the disclosures of *Pavlin* would be needed to arrive at a composition comprising a structuring polymer, a continuous liquid fatty phase, and a colorant, the reference fails to anticipate the claimed invention for this reason alone. Further, as *Pavlin* does not disclose that the colorant is chosen from pigments and nacles, the reference can not identically disclose the presently claimed invention, as also required by *In re Arkley, supra*, and thus does not anticipate the presently claimed invention for this additional reason.

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In addition, Applicants note the Office's statement "that make-up and lip compositions contain dyestuffs," which is made without any support or evidence. This bald assertion is not sufficient to support the rejection of the presently claimed invention. See, e.g. *In re Lee*, 61 U.S.P.Q.2d 1430 (Fed. Cir. 2001) (discussing the Office's burden to articulate a "full and reasoned explanation" of its decision); see also *In re Grose*, 592 F.2d 1161, 201 U.S.P.Q. 57 (C.C.P.A. 1979) (the Office is required to provide some evidentiary basis for the existence and meaning of the scientific principle relied on).

As *Pavlin* does not describe the Applicants' presently claimed invention identically, thereby forcing the skilled artisan to pick and choose among various disclosures in the reference in order to arrive at Applicants' presently claimed invention, a rejection for anticipation is improper and should be withdrawn for at least the reasons above. Accordingly, Applicants respectfully request that the rejection under 35 U.S.C. § 102(b) be withdrawn.

IV. Rejection under 35 U.S.C. § 103

The Office has rejected claims 1-89 and 128-161 under 35 U.S.C. § 103 as being unpatentable over *Pavlin* for the reasons set forth on page 4 of the present Office Action. Although claims 46 and 68 have been canceled, Applicants respectfully traverse this rejection as it applies to the pending claims for at least the following reasons.

At a minimum, in order to establish a *prima facie* case of obviousness, the Office must show that the prior art reference provides some motivation or suggestion, either in the reference itself or in the knowledge generally available to one of ordinary skill in the art, to modify the reference with a reasonable expectation of success for achieving the

claimed invention. M.P.E.P. § 2143. Further, the Office must show that the prior art reference teaches or suggests all the limitations of the claims. *Id.* Importantly, a reference must be considered for everything it teaches, and not just that which will support a given position to the exclusion of other parts necessary to the full appreciation of what the reference fairly suggests to one of ordinary skill in the art. *In re Wesslau*, 353 F.2d 238, 241, 147 U.S.P.Q. 391, 393 (C.C.P.A. 1965); *see also Bausch & Lomb, Inc. v. Barnes-Hind/Hydrocurve, Inc.*, 796 F.2d 443, 448-49, 230 U.S.P.Q. 416, 420 (Fed. Cir. 1986) (holding that the district court, by failing to consider a prior art reference in its entirety, ignored portions of the reference that led away from obviousness). In the present case, the Office has failed to demonstrate that all elements of the presently claimed invention are taught or suggested by *Pavlin*, and has failed to point to any suggestion or motivation to modify *Pavlin* so as to arrive at the presently claimed invention, and thus, this rejection is improper and should be withdrawn for this reason. Moreover, the teachings of *Pavlin* as a whole would lead the skilled artisan away from the presently claimed invention because the reference as a whole teaches compositions which are preferably clear or transparent, and thus, the rejection is improper for this additional reason.

As discussed above, *Pavlin* discloses a polymer taught to be useful for a wide variety of purposes. The only disclosure in *Pavlin* with respect to dyestuffs is a generic teaching that "colorants" may be an optional additional component of some embodiments. *See Pavlin*, col. 14, lines 30-32. Notably, there is no teaching in *Pavlin* of specifically pigments or nacles.

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As also discussed above, present claim 1 requires, *inter alia*, a dyestuff chosen from pigments and nacles. As *Pavlin* does not teach or suggest dyestuffs chosen from pigments or nacles, or give any suggestion for modifying the compositions disclosed therein to include dyestuffs chosen from pigments or nacles, the reference fails to render the presently claimed invention obvious for this reason alone.

Moreover, the Office improperly fails to consider the teachings of the reference as a whole, as required by *In re Wesslau, supra*. The Office appears to be relying on the generic disclosure in *Pavlin* that "colorants" may be an optional additional component of some embodiments. See, e.g., *Pavlin*, col. 14, lines 30-32. However, as a whole, *Pavlin* teaches its polymer as useful in a composition which is "preferably clear or transparent." See *Pavlin*, col. 16, lines 45-46; see also col. 1, line 45 to col. 2, line 21, generally describing the need for a "clear" or "transparent" material, which need *Pavlin's* invention is disclosed to have satisfied. Thus, the reference as a whole leads away from the inclusion of dyestuffs and away from a finding of obviousness.

Also, as in its rejection under § 102(b), Applicants note the Office's statement "that make-up and lip compositions contain dyestuffs" which is made without any support or evidence. This bald assertion is not sufficient to support the rejection of the presently claimed invention. See, e.g. *In re Lee, supra*, and *In re Grose, supra*.

Accordingly, for at least these reasons, the rejection under § 103(a) is improper, and Applicants therefore respectfully request withdrawal of this rejection.

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V. Conclusion

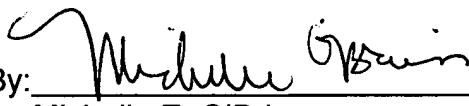
In view of the foregoing amendments and remarks, each presented independently, Applicants respectfully request the reconsideration and reexamination of this application, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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GARRETT & DUNNER, L.L.P.

Dated: April 22, 2002

By: 
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APPENDIX

**AMENDED CLAIMS WITH MARKINGS TO SHOW CHANGES
MADE PURSUANT TO 37 C.F.R. § 1.121(c)(1)(ii)**

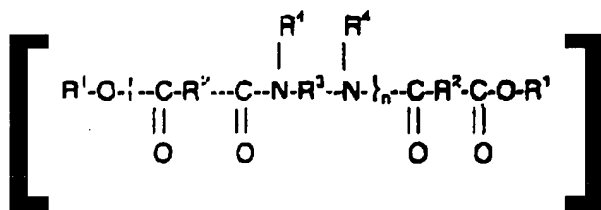
1. (Amended) A structured composition comprising:
 - (a) at least one dyestuff; and
 - (b) at least one continuous liquid fatty phase comprising:
 - (i) at least one structuring polymer which has a weight-average molecular mass ranging from 1000 to 30,000 and comprises:
 - a) a polymeric skeleton comprising repeating units comprising at least one non-pendant hetero atom; and
 - b) at least one fatty chain, optionally functionalized, comprising from 12 to 120 carbon atoms, chosen from pendant fatty chains and terminal fatty chains which are bonded to said polymeric skeleton;wherein said at least one fatty chain is present in a quantity ranging from 40% to 98% of the total number of all said repeating units comprising at least one non-pendant hetero atom and all said at least one fatty chains;wherein said structured composition is in the form of a wax-free solid[.];wherein said at least one dyestuff is chosen from pigments and nacres; and
- wherein said at least one dyestuff, said at least one continuous liquid fatty phase and said at least one structuring polymer form a physiologically acceptable medium.
15. (Amended) A composition according to Claim 1, wherein said repeating units comprising at least one non-pendant hetero atom are chosen from repeating units comprising hydrocarbon-based repeating units and silicone units which form a

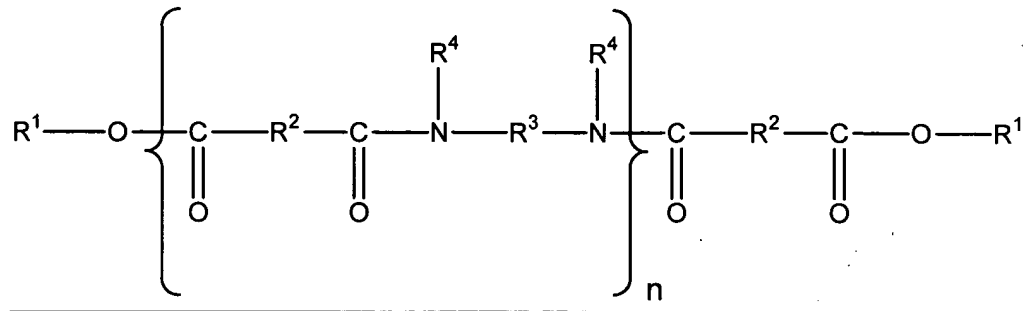
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polyorganosiloxane-type skeleton, repeating units comprising amide units which form a polyamide-type skeleton, repeating units comprising units which comprise isocyanate groups which form a skeleton chosen from polyurethane-type skeletons, polyurea-type skeletons and polyurea-urethane-type skeletons, repeating units comprising carbamate which form a skeleton chosen from polyurethane-type skeletons, polyurea-type skeletons and polyurea-urethane-type skeletons, and repeating units comprising urea which form a skeleton chosen from polyurethane-type skeletons, polyurea-type skeletons and polyurea-urethane-type skeletons.

29. (Amended) A composition according to Claim 28, wherein said at least one alcohol is chosen from monoalcohols comprising from 10 to 36 carbon atoms.

32. (Amended) A composition according to Claim 1, wherein said at least one structuring polymer is chosen from polymers of formula (I) below and mixtures thereof:





in which:

- n is an integer which represents the number of amide units such that the number of ester groups present in said at least one structuring polymer ranges from 10% to 50% of the total number of all said ester groups and all said amide groups comprised in said at least one structuring polymer;

- R¹, which are identical or different, are each chosen from alkyl groups comprising at least 4 carbon atoms and alkenyl groups comprising at least 4 carbon atoms;

- R², which are identical or different, are each chosen from C₄ to C₄₂ hydrocarbon-based groups with the proviso that at least 50% of R² are chosen from C₃₀ to C₄₂ hydrocarbon-based groups;

- R³, which are identical or different, are each chosen from organic groups comprising atoms chosen from carbon atoms, hydrogen atoms, oxygen atoms and nitrogen atoms with the proviso that R³ comprises at least 2 carbon atoms; and

- R⁴, which are identical or different, are each chosen from hydrogen atoms, C₁ to C₁₀ alkyl groups and a direct bond to group chosen from R³ and another R⁴ such that when said at least one group is chosen from another R⁴, the nitrogen atom to which both R³ and R⁴ are bonded forms part of a heterocyclic structure defined in part by R⁴-N-R³, with the proviso that at least 50% of all R⁴ are chosen from hydrogen atoms.

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50. (Amended) A composition according to Claim 46, wherein said at least one amphiphilic compound comprises at least one lipophilic part bonded to at least one polar part.

64. (Amended) A composition according to Claim 32, wherein said R^3 [], which are identical or different, are each chosen from C_2 to C_{36} hydrocarbon-based groups and polyoxyalkylene groups.

65. (Amended) A composition according to Claim 32, wherein said R^3 [], which are identical or different, are each chosen from C_2 to C_{12} hydrocarbon-based groups and polyoxyalkylene groups.

83. (Amended) A composition according to Claim 82, wherein said composition is chosen from mascaras, eyeliners, foundations, lip compositions, blushes, [deodorant product, make-up-removing product,]products for making up the body, eyeshadows, face powders, and [or]concealer products.

85. (Amended) A composition according to Claim 1, wherein said composition further comprises at least one additional dyestuff [is] chosen from lipophilic dyes[,] and hydrophilic dyes[, pigments and nacs].

94. (Amended) A composition according to Claim 90, wherein said composition is chosen from mascaras, eyeliners, foundations, lip compositions, blushes, deodorant products, make-up-removing products, products for making up the body, eyeshadows, face powders, and [or]concealer products.

100. (Amended) A composition according to Claim 95, wherein said composition is chosen from mascaras, eyeliners, foundations, lip compositions, blushes,

[deodorant product, make-up-removing product,]products_ for making up the body, eyeshadows_, face powders_, and [or]concealer products_.

109. (Amended) A composition according to Claim 101, wherein said composition is chosen from mascaras_, eyeliners_, foundations_, lip compositions_, blushes_, [deodorant product, make-up-removing product,]products_ for making up the body, eyeshadows_, face powders_, and [or]concealer products_.

110. (Amended) A lip composition comprising:

(a) at least one pigment in an amount sufficient to make up the lips[at least one keratinous material]; and

(b) at least one continuous liquid fatty phase comprising:

(i) at least one structuring polymer which has a weight-average molecular mass ranging from 1000 to 30,000 and comprises:

a) a polymeric skeleton comprising repeating units comprising at least one non-pendant hetero atom; and

b) at least one fatty chain, optionally functionalized, comprising from 12 to 120 carbon atoms, chosen from pendant fatty chains and terminal fatty chains which are bonded to said polymeric skeleton;

wherein said at least one fatty chain is present in a quantity ranging from 40% to 98% of the total number of all said repeating units comprising at least one non-pendant hetero atom and all said at least one fatty chains;

wherein said composition is in the form of a structured solid[,]; and

wherein said at least one pigment, said at least one continuous liquid fatty phase and said at least one structuring polymer form a physiologically acceptable medium.

118. (Amended) A mascara product, eyeliner product, foundation product, lip composition product, blush product, deodorant product, make-up-removing product, product for making up the body, eyeshadow product, face powder product, or concealer product comprising:

(a) at least one pigment in an amount sufficient to make up at least one keratinous material; and

(b) at least one continuous liquid fatty phase comprising:

(i) at least one structuring polymer which has a weight-average molecular mass ranging from 1000 to 30,000 and comprises:

a) a polymeric skeleton comprising repeating units comprising at least one non-pendant hetero atom; and

b) at least one fatty chain, optionally functionalized, comprising from 12 to 120 carbon atoms, chosen from pendant fatty chains and terminal fatty chains which are bonded to said polymeric skeleton;

wherein said at least one fatty chain is present in a quantity ranging from 40% to 98% of the total number of all said repeating units comprising at least one non-pendant hetero atom and all said at least one fatty chains;

wherein said product is in the form of a structured solid_[,]; and

wherein said at least one pigment, said at least one continuous liquid fatty phase and said at least one structuring polymer form a physiologically acceptable medium.

124. (Amended) A make-up stick for at least one keratinous material comprising:

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(a) at least one pigment in an amount sufficient to make up at least one keratinous material; and

(b) at least one continuous liquid fatty phase comprising:

(i) at least one structuring polymer which has a weight-average molecular mass ranging from 1000 to 30,000 and comprises:

a) a polymeric skeleton comprising repeating units comprising at least one non-pendant hetero atom; and

b) at least one fatty chain, optionally functionalized, comprising from 12 to 120 carbon atoms, chosen from pendant fatty chains and terminal fatty chains which are bonded to said polymeric skeleton;

wherein said at least one fatty chain is present in a quantity ranging from 40% to 98% of the total number of all said repeating units comprising at least one non-pendant hetero atom and all said at least one fatty chains; and

wherein said at least one pigment, said at least one continuous liquid fatty phase and said at least one structuring polymer form a physiologically acceptable medium.

135. (Amended) A process of structuring a composition in the form of a self-supporting solid having a hardness ranging from 20 g to 2000 g, comprising the step of including in said composition a sufficient amount of at least one structuring polymer which has a weight-average molecular mass ranging from 1000 to 30,000 and comprises:

a) a polymeric skeleton comprising repeating units comprising at least one non-pendant hetero atom; and

b) at least one fatty chain, optionally functionalized, comprising from 12 to 120 carbon atoms, chosen from pendant fatty chains and terminal fatty chains which are bonded to said polymeric skeleton;

wherein said at least one fatty chain is present in a quantity ranging from 40% to 98% of the total number of all said repeating units comprising at least one non-pendant hetero atom and all said at least one fatty chains[.];

wherein said composition [being]is structured as a self-supporting solid, [being]is wax-free, and further [containing]contains a liquid continuous fatty phase and at least one dyestuff; and

wherein said at least one dyestuff is chosen from pigments and nacles.

144. (Amended) A process of structuring a cosmetic composition in the form of a physiologically acceptable composition, which is rigid, self-supporting, wax-free, glossy, and/or non-migrating comprising including in said composition at least one liquid continuous fatty phase, said at least one liquid continuous fatty phase being structured with a sufficient amount of at least one structuring polymer which has a weight-average molecular mass ranging from 1000 to 30,000 and comprises:

a) a polymeric skeleton comprising repeating units comprising at least one non-pendant hetero atom; and

b) at least one fatty chain, optionally functionalized, comprising from 12 to 120 carbon atoms, chosen from pendant fatty chains and terminal fatty chains which are bonded to said polymeric skeleton;

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wherein said at least one fatty chain is present in a quantity ranging from 40% to 98% of the total number of all said repeating units comprising at least one non-pendant hetero atom and all said at least one fatty chains; [and]

wherein said composition is rigid, self-supporting, wax-free, glossy₁ and/or non-migrating; and

wherein said composition further comprises at least one dyestuff chosen from pigments and nacres.

150. (Amended) A process of making a cosmetic composition in the form of a physiologically acceptable composition, which is structured, rigid, self-supporting, wax-free, glossy₁ and/or non-migrating comprising including in said composition at least one liquid continuous fatty phase, said at least one liquid continuous fatty phase being structured with a sufficient amount of at least one structuring polymer which has a weight-average molecular mass ranging from 1000 to 30,000 and comprises:

- a) a polymeric skeleton comprising repeating units comprising at least one non-pendant hetero atom; and
- b) at least one fatty chain, optionally functionalized, comprising from 12 to 120 carbon atoms, chosen from pendant fatty chains and terminal fatty chains which are bonded to said polymeric skeleton;

wherein said at least one fatty chain is present in a quantity ranging from 40% to 98% of the total number of all said repeating units comprising at least one non-pendant hetero atom and all said at least one fatty chains; [and]

wherein said composition is rigid, self-supporting, wax-free, glossy₁ and/or non-migrating; and

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wherein said composition comprises at least one dyestuff chosen from pigments and nacles.

156. (Amended) A process of structuring a cosmetic composition in the form of a self-supporting solid, comprising including in said composition at least one liquid continuous fatty phase and at least one dyestuff, said at least one liquid continuous fatty phase and at least one dyestuff being structured with a sufficient amount of at least one structuring polymer which has a weight-average molecular mass ranging from 1000 to 30,000 and comprises:

a) a polymeric skeleton comprising repeating units comprising at least one non-pendant hetero atom; and

b) at least one fatty chain, optionally functionalized, comprising from 12 to 120 carbon atoms, chosen from pendant fatty chains and terminal fatty chains which are bonded to said polymeric skeleton;

wherein said at least one fatty chain is present in a quantity ranging from 40% to 98% of the total number of all said repeating units comprising at least one non-pendant hetero atom and all said at least one fatty chains;

wherein said dyestuff is chosen from pigments and nacles; and

wherein said composition is in the form of a self-supporting solid.

157. (Amended) A process for limiting the migration of a cosmetic composition comprising including in said composition at least one liquid continuous fatty phase, said at least one liquid continuous fatty phase being structured with a sufficient amount of an agent for limiting the migration of said composition, said agent comprising

at least one structuring polymer which has a weight-average molecular mass ranging from 1000 to 30,000 and comprises:

a) a polymeric skeleton comprising repeating units comprising at least one non-pendant hetero atom; and

b) at least one fatty chain, optionally functionalized, comprising from 12 to 120 carbon atoms, chosen from pendant fatty chains and terminal fatty chains which are bonded to said polymeric skeleton;

wherein said at least one fatty chain is present in a quantity ranging from 40% to 98% of the total number of all said repeating units comprising at least one non-pendant hetero atom and all said at least one fatty chains; and

wherein said composition further comprises at least one dyestuff chosen from pigments and nacres.

161. (Amended) A process for limiting the migration of a cosmetic composition comprising at least one continuous liquid fatty phase comprising structuring said fatty phase with a sufficient amount of structuring polymer which has a weight-average molecular mass ranging from 1000 to 30,000 and comprises:

a) a polymeric skeleton comprising repeating units comprising at least one non-pendant hetero atom; and

b) at least one fatty chain, optionally functionalized, comprising from 12 to 120 carbon atoms, chosen from pendant fatty chains and terminal fatty chains which are bonded to said polymeric skeleton;

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wherein said at least one fatty chain is present in a quantity ranging from 40% to 98% of the total number of all said repeating units comprising at least one non-pendant hetero atom and all said at least one fatty chains; and

wherein said composition further comprises at least one dyestuff chosen from pigments and nacres.

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